

**SAN ANTONIO WATER SYSTEM  
Interdepartment Correspondence Sheet**

**To:** Zoning Commission Members

**From:** Scott R. Halty, Director, Resource Protection & Compliance Department,  
San Antonio Water System

**Copies To:** Andrew Wiatrek, Manager, Edwards Aquifer and Watershed Protection Division,  
Michael Barr, Supervisor, Aquifer Protection and Evaluation Section, Michael A.  
Escalante, Environmental Protection Specialist III

**Subject:** Zoning Case Z2021-10700258 (Emerald Forest Commercial)

**Date:** January 21, 2022

**SUMMARY**

A request for a change in zoning has been made for an approximate 7.930-acre tract located on the city's northeast side. A change in zoning from **"O-1 ERZD & O-2 ERZD"** to **"C-2 ERZD"** is being requested by the applicant Boerne Broad Oak, LLC and represented by Ashley Farrimond, Killen, Griffin & Farrimond, PLLC. The change in zoning has been requested to allow for an office development. The property is currently designated as a Category 2.

Based on the site evaluation of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed land use. Should the City Council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

**LOCATION**

The subject property is within City Council District 10, at the northeast intersection of Emerald Forest Drive and North Loop 1604 East. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

**SITE EVALUATION**

1. Development Description:

The proposed change is from **"O-1 ERZD & O-2 ERZD"** to **"C-2 ERZD"** and will allow for an office developments on 7.930-acres. Currently, the property is undeveloped and vegetated with native trees and grasses. The proposed project will consist of two or three office buildings with associated parking areas.

2. Surrounding Land Uses:

Elm Creek and Emerald Forest neighborhood are located north of the property. To the west borders Emerald Forest Drive with undeveloped property located beyond. Northern Hills United Methodist Church and the Christian Family Church International bounds to the east. North Loop 1604 East borders to the south of the site.

3. Water Pollution Abatement Plan:

As of the date of this report, a WPAP has not been submitted to the Texas Commission on Environmental Quality (TCEQ). A WPAP will be required to be submitted to and approved by the TCEQ prior to commencement of construction.

4. Geologic Conditions:

The Aquifer Protection and Evaluation Section of the San Antonio Water System conducted a site evaluation on September 28, 2021, of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS Environmental Geologist, Mr. Bruce Keels, P.G., was present during the site evaluation.

The subject site was observed to be undeveloped with native trees and grasses on approximately 7.930-acres in area. Moderate exposure of float rock was observed throughout the site with substantial soil profile and thick ground cover vegetation. Non-karst closed depressions formed from fallen trees and animal burrows were observed to be geologically non-sensitive. Two geotechnical bore holes marked with survey flagging were dug in the central and southern portion of the subject site. The bore hole sites looked to be associated with the installation of an underground utility line.

Scattered piles of primarily construction debris were observed along the eastern boundary of the site. A gas main line located near the southern boundary was noted adjacent to a concrete drainage channel.

The northeastern portion of the site is in the floodplain. Storm-water occurring on the site would discharge to the north towards East Elm Creek.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the site is underlain by the Cyclic and Marine Member of the Person Formation of the Edwards Aquifer.

The Cyclic and Marine Member of the Person Formation is characterized by the presence of thinly bedded mudstone, packstone and grainstone with structurally based porosity. The full section thickness of this member is approximately 80 to 90 feet thick.

Using the Soil Survey of Bexar County, compiled by the United States Department of Agriculture, it was determined that the soil profile of the subject site included the Tarrant Association Rolling (TaC) soils. The Tarrant Association soils are generally very shallow, dark colored, with fine subangular blocky structure, rich in limestone fragments, occurring over limestone bedrock.

No sensitive geologic features were observed on the subject site nor identified on file.

## **ENVIRONMENTAL CONCERNS**

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

### **Site Specific Concerns**

1. The northeastern portion of the property borders the 100-year floodplain of East Elm Creek, where recharge may occur.

### **General Concerns**

1. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.
2. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.

## **ENVIRONMENTAL RECOMMENDATIONS**

The following recommendations address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

### **Site Specific Recommendations**

1. The impervious cover shall not exceed 56% on the 7.930-acre site.
2. A 120' floodplain buffer shall be provided along the northern portion of the property as required in Ordinance No. 2007-01-04-0045, approved by City Council on January 4, 2007.
3. The land uses within the project site shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at the project site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as not allowed, that land use will not be permitted on the project site.

4. The owner of all water pollution abatement structures shall ensure these structures are properly maintained and kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Aquifer Protection & Evaluation Section of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Aquifer Protection & Evaluation Section of SAWS.
5. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210) 222-2204, or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, shall be used.
6. The applicant shall notify the Construction Monitoring of SAWS at (210) 233-3565 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality and the Aquifer Protection & Evaluation Section of SAWS at (210) 233-3522.


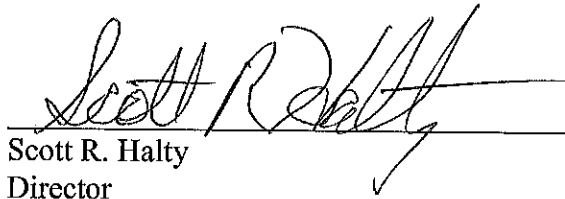
#### **General Recommendations**

1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Aquifer Protection & Evaluation Section of the San Antonio Water System.
2. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
3. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
  - A. A copy of the Water Pollution Abatement Plan shall be submitted for the development within the area being considered for re-zoning,
  - B. A set of site-specific plans which must have a signed Engineers Seal from the State of Texas,
  - C. A WPAP approval letter from the Texas Commission on Environmental Quality,
  - D. A copy of the approved Water Pollution Abatement Plan.

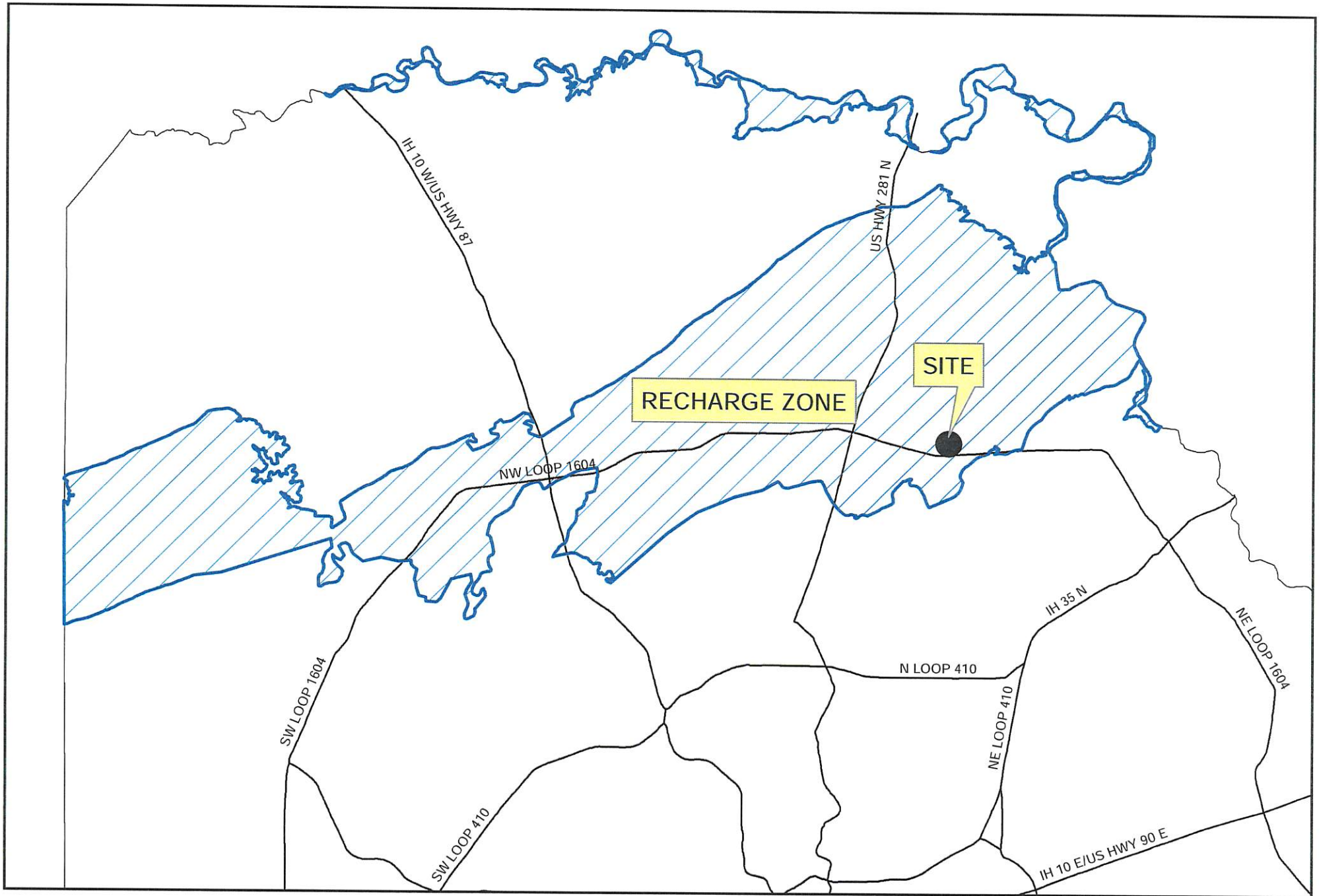
4. The Resource Protection & Compliance Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.

APPROVED:

  
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Andrew Wiatrek  
Manager  
Edwards Aquifer and Watershed Protection Division  
\_\_\_\_\_  
Scott R. Halty  
Director  
Resource Protection & Compliance Department

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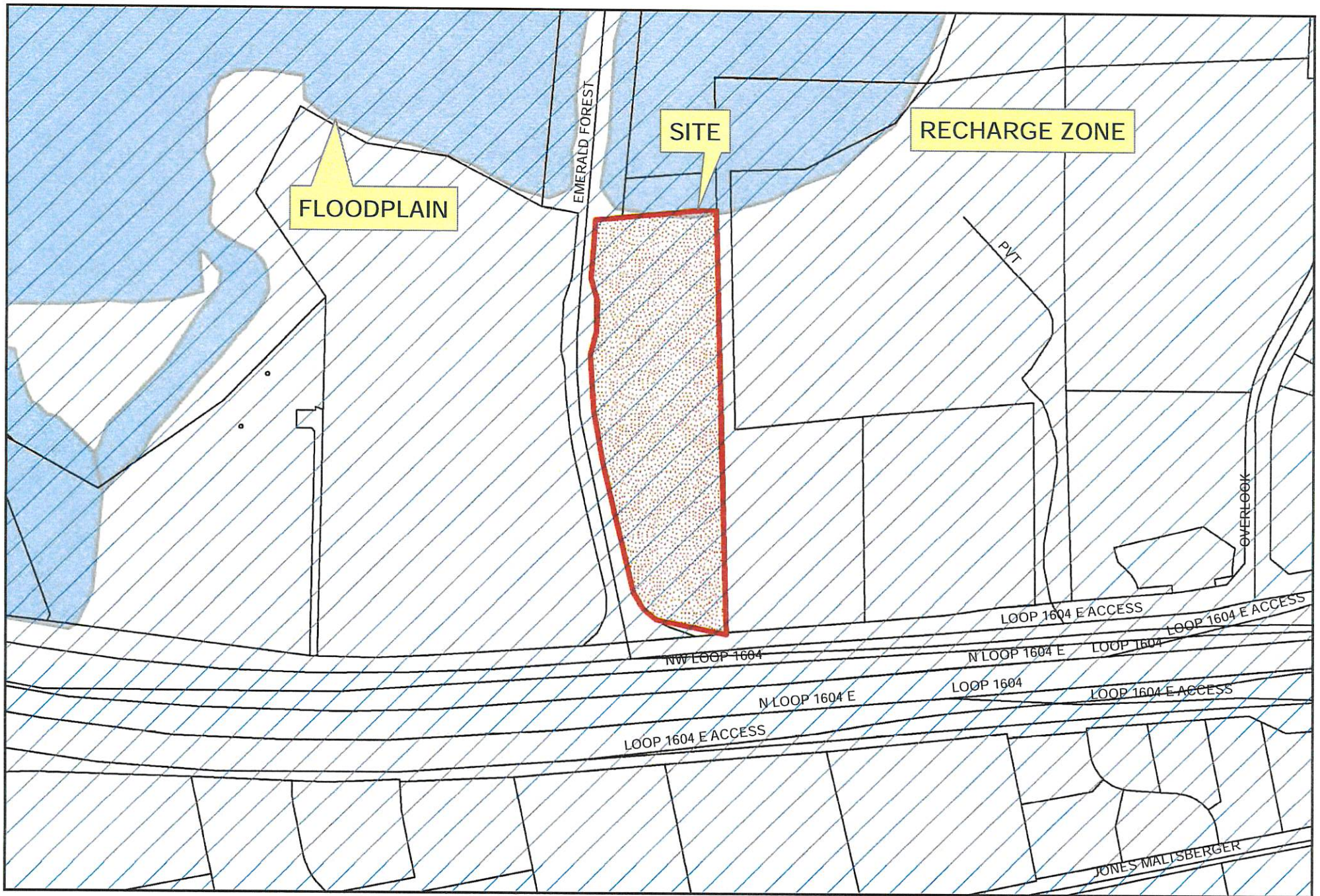
ZONING CASE: EMERALD FOREST COMMERCIAL (FIGURE 1)  
ZONING FILE: Z2021-10700258

Map Prepared by SAWS, Resource Protection & Compliance Dept. MAE 12/3/2021

1 in = 16,667 ft  
0 4,700,400 18,800 28,200 37,600 Feet







ZONING CASE: EMERALD FOREST COMMERCIAL (FIGURE 2)  
ZONING FILE: Z2021-10700258

Map Prepared by SAWS, Resource Protection & Compliance Dept. MAE 12/3/2021

